

STONEBERG, GILES & STROUP, P.A.

PAUL E. STONEBERG ◊
DANIEL L. GILES
KEVIN K. STROUP
RONALD E. SEANOR*
GREG J. BUCHER

ATTORNEYS AT LAW
300 O'CONNELL STREET
MARSHALL, MINNESOTA 56258-2638
TELEPHONE (507) 537-0591
FAX (507) 532-3498 or (507) 532-4467

Email Addresses:

paul@sgslawyers.com
dan@sgslawyers.com
kevin@sgslawyers.com
ron@sgslawyers.com
greg@sgslawyers.com

September 18, 2008

Mr. Timothy Rogers, Permitting Analyst
EXCEL ENERGY
Suite 800A, 250 Marquette Ave.
Minneapolis, MN 55401

Via Fax and U.S. Mail:
(612) 330-6590

Ms. Lisa M. Agrimonti
BRIGGS AND MORGAN
2200 IDS Center
80 South 8th Street
Minneapolis, MN 55402

Via Email and U.S. Mail:
LAgrimonti@Briggs.com

RE: In the Matter of the Application of Xcel Energy for Route Permit for the Lake Yankton to Marshall Transmission Line Project in Lyon County
Docket No. E-002/TL-07-1407

Dear Mr. Rogers and Ms. Agrimonti:

Yesterday I was contacted by people who had filed a prior Petition – requesting that I represent them as the issue proceeds. I sent a letter to the Public Utilities Commission, but in the process did not copy yourselves. Sent herewith to each of you is a copy of my letter to the Public Utilities Commission dated September 17, 2008.

If you have any questions or concerns, please contact me.

Thank you for your courtesies.

Sincerely,

STONEBERG, GILES & STROUP, P.A.

Kevin K. Stroup

KKS/nlb

Enclosure

cc via email: <https://www.edockets.state.mn.us/EFiling/register.jsp>

cc: Charles Kauffman

STONEBERG, GILES & STROUP, P.A.

PAUL E. STONEBERG ◊
DANIEL L. GILES
KEVIN K. STROUP
RONALD E. SEANOR*
GREG J. BUCHER

ATTORNEYS AT LAW
300 O'CONNELL STREET
MARSHALL, MINNESOTA 56258-2638
TELEPHONE (507) 537-0591
FAX (507) 532-3498 or (507) 532-4467

Email Addresses:
paul@sgslawyers.com
dan@sgslawyers.com
kevin@sgslawyers.com
ron@sgslawyers.com
greg@sgslawyers.com

September 17, 2008

Dr. Burl Haar, Executive Secretary
MINNESOTA PUBLIC UTILITIES COMMISSION
7th Place East, Suite 350
St. Paul, MN 55101-2147

Via Express Mail

RE: In the Matter of the Application of Xcel Energy for Route Permit for the
Lake Yankton to Marshall Transmission Line Project in Lyon County
Docket No. E-002/TL-07-1407

Dear Dr. Haar:

Enclosed herewith please find a Petition for Reconsideration (Reopening) dated September 3, 2008 as previously filed by home and landowners at the junction of 250th Street and County Road 7, Lyon County, Marshall, Minnesota, in regards to the above referenced matter.

A member of my staff spoke with your office this morning and confirmed that the Petition has been received and is being considered in regards to reopening and considering the re-routing as requested in the Petition.

This renews the request that the matter be reopened and re-routed as requested in the September 3, 2008 filing by my clients.

Please be advised that this office now represents those home and landowners and will be representing them in regards to any further action that might be necessary to protect their interests in regards to this matter.

Please copy our office on the decision to reopen (reconsider).

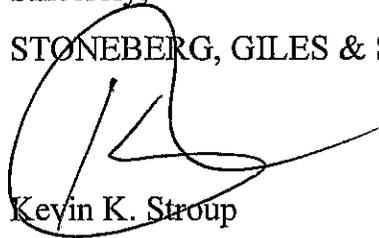
Dr. Burl Haar, Executive Secretary
September 17, 2008
Page 2

If you have any questions, please contact me.

Thank you for your consideration.

Sincerely,

STONEBERG, GILES & STROUP, P.A.

A handwritten signature in black ink, appearing to read "Kevin K. Stroup", written over the typed name below.

Kevin K. Stroup

KKS/nlb

Enclosure

cc: Charles Kauffman
Gary Meyer
Casey Diamond
Duane Van Overbeke
Dennis Wild
Lowell Siekmann
Mike Winter
Myle Greenfield

September 3, 2008

Dr. Burl Haar, Executive Secretary
Minnesota Public Utilities Commission
7th Place East, Suite 350
St. Paul, MN 55101-2147

Dear Dr. Haar,

The home and landowners at the junction of 250th street and county road 7 are writing this "Petition After the Commission Decision" for PUC-Docket No. E002-TL-07-1407 regarding a serious problem in section 18 of the Alternative A-1 power line proposal from Lake Yankton to Marshall, MN.

Before addressing the actual petition, we wish to clarify a very important point. When the homeowners along county road 7 were notified of the meeting to be held in June regarding the proposed power line, **the notice did not mention that any alternative routes were going to be considered.** Homeowners along county road 7 didn't attend the meeting because we did not think that the matter concerned us. One proposal was listed and we were supportive of it. It was after the June meeting that we learned of several alternative routes being considered and that two alternatives affected us, but by then we sensed that our input was of secondary value because we had not shown enough interest to attend the first meeting. The consistent response from the Minnesota Public Utilities Commission was that we should have known that that it was important to attend the meeting. Despite that, we wrote letters providing reasons why Alternative Route A-1 was not a good choice, hoping that our efforts would lead to a fair decision by the judge. After the judge's decision was made in August, we read the minutes and saw that all of our efforts were summarized in a few short statements claiming that there were differences of opinion. Since then we have watched Xcel workmen placing stakes and taking soil samples for pole placement, suggesting that the present 20-day petition filing period for home owners to appeal is only a formality for a decision that has already been finalized.

The Alternative A-1 plan that the Commission recently approved provides the following serious problem:

The proposed power line following 250th street would pass the Greenfield home (2390 250th street) at not within 200 feet (as mentioned in the study), and not 100 feet, but at only 75 feet - much too close! The owners of this house are raising a young family, and your study gives no indication of this problem and the impact that it will have! When John Biren (Lyon County Planning & Zoning) and Chris Rogers (Xcel Energy) saw how the power line will cross above the Geenfield sewer drain field, they expressed concern that it would create problems when the drain field will need to be repaired.

Proposed Solution No. 1 – an amendment to the Alternative A-1 Plan

Land owners Dennis Wild and Joseph Cauwels are agreeable to have the powerline follow the presently planned course from the west end of 250th street and following along 250th until it approaches the west end of Mr. Cauwel's land. The amendment proposes a change at this point. The line would turn north, following the western edge of Cauwel's land until it approaches Wild's land. It would then turn east, following the dividing property line between Cauwel's and Wild's fields. When approaching Wild Trucking, it would angle north to the NW corner of Wild Trucking and then arrive at county road 7. This plan would provide the following benefits:

1. Most important: This proposal eliminates the need for the power line to pass 75 feet from the Greenfield home.
2. This proposal eliminates need for the line to pass by the cluster of homes near the junction of 250th street and county road 7. The home owners affected are: Myk Greefield, Gary Meyer, Mark Diamond, Charles Kauffman, Duane Vanoverbeke, Lowell Siekmann, Mrs. Rolland Siekmann, Dennis Wild and Mrs. Floyd Wild).
3. This proposal eliminates some zigzagging of the line back and forth over County Road 7.
4. This proposal has the approval of the landowners and all who would be affected, eliminating all complaints in this area.
5. This proposal follows natural divisions of land through the section.
6. This proposed route is placed on good, level ground with no complications with waterways, wetlands or electric lines.

Cauwel 9-4-08
Doris Cauwels 9-4-08

Proposed Solution No. 2 – Alternative A-2 Plan

If the Commission is unwilling to consider the new amendment to the Alternative A-1 plan, we recommend that Alternative A-2 be reconsidered.

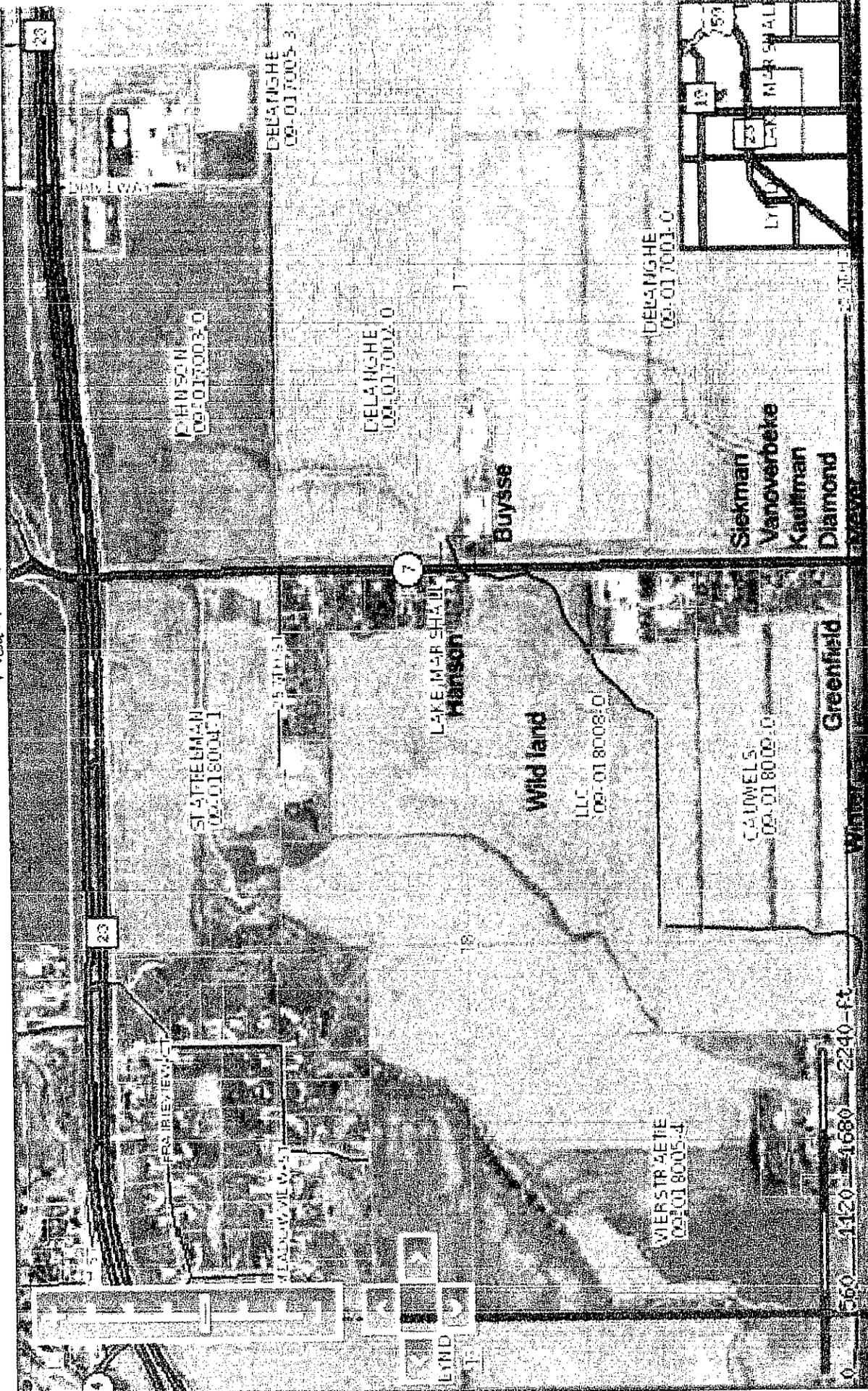
1. The homes along 240th street are further from the road, so that no home will need to be within two hundred feet of the powerline.
2. It will eliminate the Greenfield problem.

Charles Kauffman
Betty Kauffman

Yours truly,

[Handwritten signatures and names:]
 Lowell Siekmann
 Betty Siekmann
 Stephanie Siekmann
 Merlene Siekmann
 Mike Winter
 Joan Winter
 Myk Greefield
 Shirley Greefield
 Duane Van Overbeke
 Alan Van Overbeke
 Dennis Wild
 Mark Diamond
 Deloyne Wild

Kaufman Petition



23

23

JOHNSON
09-017003-0

DELANGHE
09-017002-0

DELANGHE
09-017001-0

STREIBMAN
09-018001-1

WILD LAND
09-018002-0

CADWELLS
09-018003-0

WERSTRAETE
09-018004-1

DELANGHE
09-017005-3

Buysse

Siekman
Vanoverbeke
Kaufman
Diamond

LAKE MARSHALL
Hanson

Greenfield

0 560 1120 1680 2240 -ft

